

In the matter of Rights of Way Investigation of land at: Toft Church Boundary with Windmill Wood

Statutory Declaration by [REDACTED]

1. I am [REDACTED] and I live at [REDACTED]
2. My date of birth is [REDACTED]
3. I solemnly and sincerely declare as follows:
4. I make this Statutory Declaration regarding an application for a new right of way from the gate at Toft Church to the intersection with Toft FP4 on Windmill Wood as created on a map by Cheshire East Council shown to me marked 'AP1a' ('Claimed Footpath')

Background

5. I was born in Knutsford and have lived the majority of my life in the Knutsford area.

6. [REDACTED]

7. [REDACTED]

8. [REDACTED]

Trespasses on Windmill Wood

9. I know [REDACTED] the previous owner of Windmill Wood ('the Woodland'). He kindly allowed the Scouts the use of the Woodland throughout the period of 1998 to 2018.

10. The Scouts regularly used the area on the 'top' part of the Woodland ('i.e. 'above' Toft FP4 and Knutsford FP19 – which included the Claimed footpath).

11. I can state with certainty and experience that throughout the 20 year period leading up to around 2015 there was a sign on a tree by the gate on the Windmill Wood side of the 'border'. The sign faced the gate which borders Toft Church.

12. I can't recall the exact wording of the sign (it changed from time to time) but it was in terms that the wood was private land and that trespasses should keep out.

13. The sign was repeatedly stolen/damaged and replaced constantly over the years. It took different forms in its appearance, look and material but was often 'home made'.

14. In the period 1998 to 2018 I occasionally witnessed Mr Panayi constantly asking people to leave the land (i.e. on and around) the Claimed Footpath. I can also confirm that I regularly met with [REDACTED] throughout this period in the Woodlands.
15. In addition, [REDACTED] would ask me that whenever I saw anyone trespassing that I should ask them kindly to leave the land, which I did.
16. [REDACTED] was extremely protective of his land and always took steps to protect it from trespasses.

Commercial Activities on Woodland

17. From around 1995 for about 10 years or so there was paintballing activity on the Woodland carried out by a third party company engaged by [REDACTED]. Although most of the time this took place in the 'main' part of the Woodland (i.e., 'below' Toft FP4), it regularly took place in the 'top' area of the Woodland i.e., 'above' Toft FP4/Knutsford FP19 and on where the Claimed Footpath regularly from approximately 1996 to 2004. With regards the paintball company, given the dangerous nature of this activity, this necessitated the use of Marshalls to keep the Woodland free of trespasses.

Capacity in which I make this Statutory Declaration

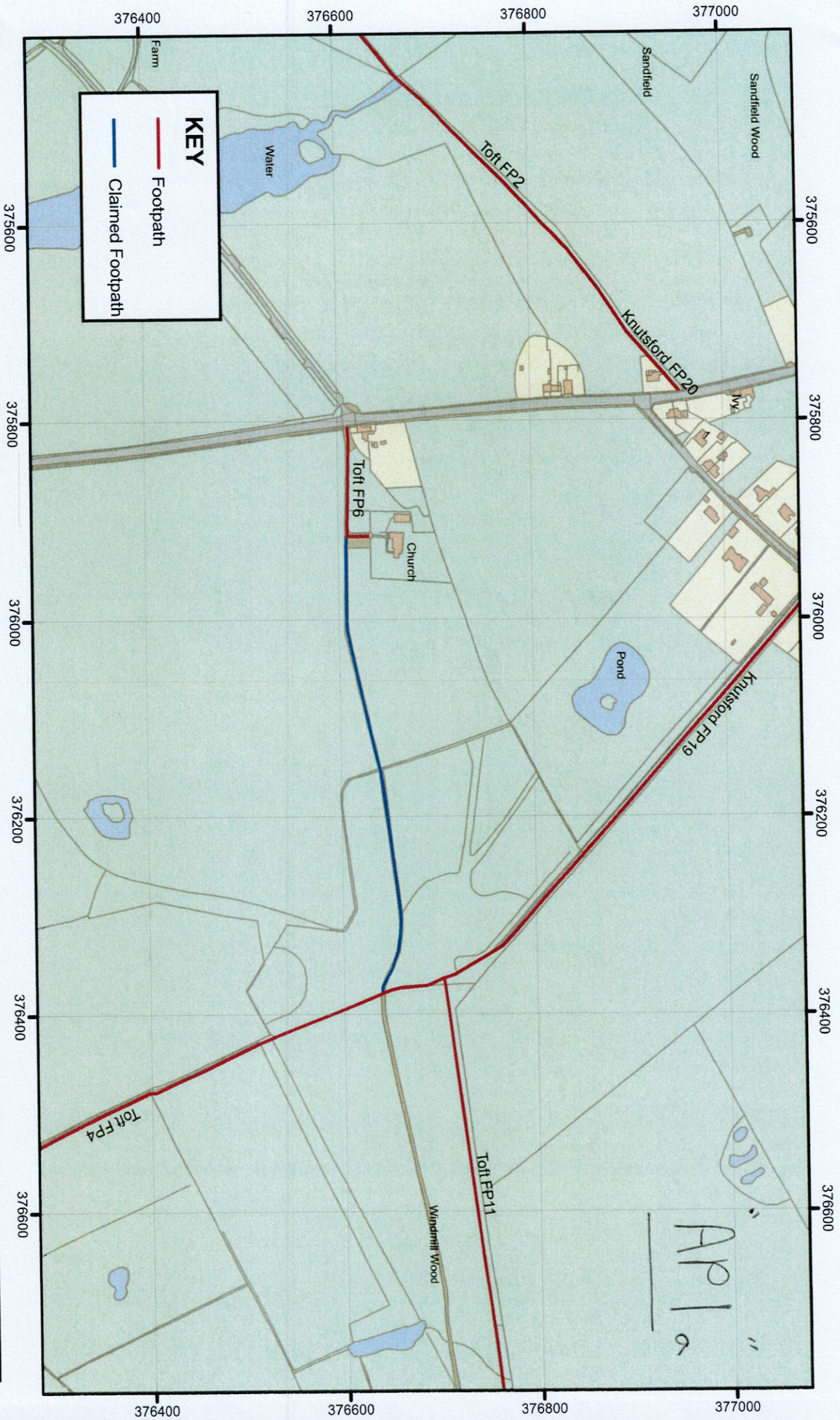
18. It is important to note that I make this Statutory Declaration in my personal capacity and is in no way connected with the Scout Movement.
19. In addition, I can confirm that I have no personal, economic, or legal interest in any of the Woodland. I do not have to make this Statutory Declaration but am simply doing this as it is legally and morally the right thing to do.

I declare that the content of this Statutory Declaration is true.

Signed: ...

Declared before me, a solicitor, or
person authorised by law to take oaths
this 27th day of March 2024

at PRIMAS LAW LIMITED
TOWER 12
SPINNING FIELDS
Address of solicitor MANCHESTER



KEY

- Footpath
- Claimed Footpath

Claimed Footpath from Toft FP 4, Toft Church to Toft FP 6, Windmill Wood, Toft



1:5,000

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This is a working copy of the definitive map and should not be used for legal purposes

